United Nations CEDAW/C/SGP/Q/5

Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the fifth periodic report of Singapore

Constitutional and legislative framework

1. It is indicated in the fifth periodic report (CEDAW/C/SGP/5) that, in the State party, treaties and conventions do not automatically become part of the laws of Singapore unless they are specifically incorporated into the legal system. Nevertheless, it is specified that only a general principle of equality is guaranteed under article 12 of the Constitution (para. 1.1)[1] and that there is no specific gender equality or anti-gender-discrimination legislation (para. 2.1). Please clarify what priority attention is being given by the State party to incorporating in its Constitution or other appropriate legislation a definition of discrimination against women, encompassing direct and indirect discrimination, in both the public and private spheres, in line with article 1 of the Convention, the Committee's previous recommendations (CEDAW/C/SGP/CO/4, para. 12, and CEDAW/C/SGP/CO/3, para. 14) and target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere.

2. The State party indicates that women in Singapore enjoy strong legal protection (para. 2.2). Please provide information on the implementation of the legislative framework in place to protect women, including data on the number of cases or complaints brought by women through the channels listed in paragraph 2.2 of the State party's report. Please also indicate whether the Convention and the Committee's general recommendations are being integrated into capacity-building

Note: The present document is being circulated in English, French and Spanish only.

[1] Unless otherwise indicated, paragraph numbers refer to part II of the State party's fifth periodic report (CEDAW/C/SGP/5).

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programmes for lawmakers, judges, prosecutors, lawyers, police officers and other law enforcement officials.

Reservations

3. The State party indicates that the reservations to articles 2 and 16 of the Convention have been withdrawn only partially in order to allow the operation of Muslim law in the State party (para. 16.11). Please provide information on specific steps taken to reconcile the Administration of Muslim Law Act with the requirements of articles 2 and 16 of the Convention with a view to withdrawing all remaining reservations.

Access to justice

4. Please provide information on measures taken to ensure that women, including women in vulnerable situations, such as victims of trafficking, have effective access to justice and remedies. Please provide details on specific measures taken to remove economic barriers to justice, to provide legal aid and to ensure that fees for issuing documents and filing complaints, as well as court costs, are reduced for women with low incomes. Please indicate what measures have been taken to enhance women's awareness of their rights and to enable them to avail themselves of remedies to claim their rights.

National machinery for the advancement of women

5. Please provide information on the proportion of the national budget allocated to the Office for Women's Development and on efforts to ensure that gender mainstreaming is consistently applied in the development and implementation of all laws, regulations and programmes in all ministries and legislative structures, including through effective monitoring and accountability mechanisms. Please indicate whether there are plans to elevate the current status of the Office for Women's Development and to strengthen its mandate and visibility, as recommended by the Committee in its previous recommendations (CEDAW/C/SGP/CO/4, para. 18, and CEDAW/C/SGP/CO/3, para. 18). It is indicated in paragraph 3.2 of the report that Singapore remains committed to achieving the Millennium Development Goals. Please indicate the stand of the State party with regard to the Sustainable Development Goals, especially target 5.1.

Temporary special measures

6. The State party notes that temporary special measures in areas where women are underrepresented or disadvantaged are not needed, because women have made rapid and significant progress over the past few decades and have been able to participate in all spheres of life and at all levels (para. 4.1). Nevertheless, it is reported that women continue to be underrepresented in decision-making positions on boards and in senior management in companies listed on the Singapore Exchange despite making immense progress in education. Please clarify whether the adoption of temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, is being envisaged to accelerate the representation of women in decision-making positions in the private sector, given that the initiatives taken thus far,

namely BoardAgender (launched in 2011), the revision of the Code of Corporate Governance (undertaken in 2012) and the Diversity Task Force (formed in 2012), have not yielded the desired results.

Stereotypes

7. The Committee, in its previous concluding observations (CEDAW/C/SGP/CO/4, para. 21), expressed concern about the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men within the family and society and the discriminatory traditional cultural attitudes that continue to utilize the concept of "head of household", a role assigned to men. What measures, other than the amendment of the Income Tax Act referred to in paragraph 5.19 of the report, have been taken to effectively combat and eliminate such stereotypes? Please also clarify whether a comprehensive strategy to modify or eliminate patriarchal attitudes and stereotypes that discriminate against women, including those based on sexual orientation and gender identity, has been adopted, as recommended by the Committee.

8. Please describe the specific measures that have been taken to address sexist and discriminatory advertising, including the sexualization of women by the media and the promotion of products and services to change women's bodies to conform to societal expectations. Please also indicate what attention is being paid to this issue by the Media Development Authority's Programme Code for Television.

Violence against women

9. The Committee takes note of the information provided in annex O to the State party report, which outlines the number of applications for protection orders filed by women, the number of women who have been victims of rape and the number of victims whose "modesty was outraged" between 2009 and 2014. In the light of the Committee's previous recommendation to collect statistical data on domestic and sexual violence, disaggregated by sex, age, nationality and relationship between the victim and the perpetrator, please provide the data collected. Please also indicate the number of investigations, prosecutions and convictions and the sentences imposed on perpetrators of violence against women, including domestic violence, and provide data on violence targeting migrant women. Please also clarify what steps are being taken to ensure effective legal protection from domestic and sexual violence for all women, regardless of marital status or age, in the light of reports indicating that personal protection orders under the Women's Charter cannot be invoked for intimate partner violence outside of marriage or by unmarried women who are under 21 years of age.

10. In its previous concluding observations, the Committee expressed concern that the Penal Code, which has been amended to criminalize marital rape, applies only if the perpetrator and the victim are living apart and are in the process of terminating their marriage, and if the victim has applied for a personal protection order. Please clarify whether any measures have been taken to revise the relevant provisions of the Penal Code and the Criminal Procedural Code to criminalize domestic violence and marital rape and to ensure that the definition of rape covers any non-consensual sexual act. In addition, individuals reportedly cannot seek a divorce within the first three years of marriage except on grounds of "exceptional depravity", and domestic

courts have determined that physical violence does not meet this threshold. What steps are being taken to ensure that the three-year requirement for divorce does not prevent women from leaving situations of domestic violence?

Trafficking and exploitation of prostitution

11. The Committee notes the various efforts made by the State party to combat trafficking, including the adoption of the Prevention of Human Trafficking Act, which entered into force in March 2015, and the ratification in September 2015 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Please provide information on the number of reported cases of trafficking, as well as details on the number of investigations, prosecutions, convictions and sentences imposed on the perpetrators of such crimes. Please also provide information on the specific measures taken to encourage victims to report cases, as well as remedies and support services provided to victims. Please indicate whether the revised national plan of action against trafficking in persons, which was expected to be ready in 2016, has been adopted.

12. Please clarify whether prostitution is criminalized in the State party, and whether both women in prostitution and clients are liable to prosecution. Please provide statistical data on the number of women in prostitution, disaggregated by age and nationality, as well as clients who have been prosecuted. Please also provide information on the sentences imposed on women in prostitution and/or clients. Please indicate what types of support and exit programmes are provided to women and girls who wish to leave prostitution.

Participation in political and public life

13. The Committee takes note of reports that only 1 in 20 ministers is a woman, and that women remain underrepresented in the judiciary and the diplomatic service. Please indicate what specific measures are being taken to increase the representation of women in the Cabinet, the judiciary and the diplomatic service, including through the adoption of temporary special measures, such as statutory quotas.

Nationality

14. The State party amended its Constitution in April 2004 to allow children to acquire citizenship by descent from their mothers. Nevertheless, the law is applicable only to children born on or after 15 May 2004. What measures have been taken to grant citizenship to all children born before 15 May 2004 to Singaporean mothers and to revise the nationality law with a view to preventing statelessness?

Education

15. Please provide information on measures taken to ensure that school curricula include age-appropriate education on sexual and reproductive health and rights. Please also provide information on the progress made in strengthening the position of women in leadership roles in academic institutions and provide sex-disaggregated data on the number of women in senior administrative and academic positions at all levels of the education system.

Employment

16. The Committee notes the initiatives introduced by the State party to reconcile private and professional life, such as the WorkPro scheme, which provides financial incentives to employers to implement flexible work arrangements (para. 11.12), leave schemes to support parents (para. 11.17) and plans to establish childcare centres (para. 11.18). Please indicate whether any research has been conducted on the impact of flexible work arrangements on women's careers. Please provide updated information on the creation of the estimated 20,000 new childcare places expected to be added between 2013 and 2017. Please also indicate what specific measures have been taken to increase women's employment in the private sector. Please provide information on measures taken to address discrimination in recruitment and promotion, as well as pay gaps in the private sector.

17. Please provide information on specific measures taken to implement the principle of equal pay for work of equal value and to address vertical and horizontal occupational segregation in both the public and private sectors.

Women migrant domestic workers and foreign women

18. The Committee appreciates the measures adopted by the State party to protect foreign domestic workers. Nevertheless, reports of abuse by employers are common, including non-payment of salary, deprivation of food, lack of adequate rest, withholding of passports and other personal documents, and restrictions on the right to freedom of movement and association, as well as sexual, physical and psychological abuse. Please indicate the measures taken to address the continued discrepancy with regard to employment protection and benefits between the Employment Act and the Employment of Foreign Manpower Act so as to ensure that women migrant domestic workers are guaranteed the same level of protection and benefits as other workers, including with regard to public holidays, maximum weekly working hours and regular days of rest. What steps are being taken to ensure the effective enforcement of legislation, in particular when women migrant domestic workers are reluctant to report cases of abuse owing to fear of retaliation or loss of work?

19. Please provide information on the steps taken to ratify the International Labour Organization (ILO) Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the ILO Domestic Workers Convention, 2011 (No. 189), as requested in the letter by the Rapporteur on follow-up.

20. The Committee notes that the Long-Term Visit Pass Plus scheme, introduced in April 2012, enables foreign spouses of Singaporean citizens who are not yet permanent residents to work, but a letter of consent is required from the Ministry of Manpower (para. 16.35). Please clarify how many foreign women have submitted a request for such a letter, how many of those requests were granted and within what time frame.

Refugees and asylum-seeking women

21. Please provide information on the situation of and the registration system for refugee and asylum-seeking women in the State party, and on asylum claims based on gender-related persecution. Please indicate whether efforts have been made to

establish a formal mechanism to identify persons in need of international protection, including refugee and stateless women and women who are victims of trafficking. Please also provide information on the services available to refugee and asylum-seeking women, including shelters and sexual and reproductive health services, and on the quality of those services. Please clarify whether training and guidelines are provided to law enforcement officials on how to consider the protection claims of asylum-seeking women and girls in a gender-sensitive manner.

Marriage and family relations

22. Please clarify what further steps are being envisaged to modify the Administration of Muslim Law Act so that women enjoy the same rights as men with regard to family, marriage and divorce, in particular with regard to the requirement of permission from a *wali* for a woman to marry, and the inability of women to divorce by repudiation (*talaq*). While noting that a fatwa on joint tenancy was issued in 2008 to recognize the surviving spouse as the legal heir of jointly owned property in order to rectify gender inequalities under Muslim inheritance law (para. 16.18), please clarify what other measures have been taken to ensure that Muslim women possess an equal share in all marital property. What specific steps have been taken to introduce a complete ban on polygamy, as recommended by the Committee in its previous concluding observations? Please further indicate any progress made in abolishing the exception that allows girls under the age of 18 years to marry. In the light of the narrow interpretation by the courts of what constitutes "exceptional depravity", please indicate whether there are plans to review and amend legal provisions that limit divorce proceedings within the first three years of marriage.

Optional Protocol and amendment to article 20 (1) of the Convention

23. Please indicate any progress made with respect to the ratification of the Optional Protocol to the Convention and acceptance of the amendment to article 20 (1) of the Convention.